

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION

DEMITRIUS WAYNE)
ALEXANDER,)
)
Petitioner,)
)
v.) Case No. 2:22-cv-882-LCB-SGC
)
WARDEN CALLOWAY, *et al.*,)
)
Respondents.)

ORDER

Demitrius Wayne Alexander brings this suit seeking a writ of habeas corpus under 28 U.S.C. § 2254. (Doc. 1 at 1). In his petition, Alexander challenges his 2014 murder conviction and his accompanying 99-year sentence imposed by the Circuit Court of Jefferson County, Alabama. *Id.* On July 27, 2022, United States Magistrate Judge Staci G. Cornelius recommended that Alexander's petition be dismissed for lack of jurisdiction. (Doc. 4 at 2). Judge Cornelius reasoned that: (1) Alexander previously filed a § 2254 petition challenging his 2014 murder conviction; (2) his previous petition was denied;¹ and (3) he has failed to obtain circuit-court authorization to file a successive § 2254 petition under 28 U.S.C. § 2244(b)(3)(A). *Id.* at 1–2. Alexander has filed no objection to Judge Cornelius's recommendation.

¹ *Alexander v. Headley*, No. 2:19-cv-00930-RDP-SGC, 2020 WL 1235193, at *3 (N.D. Ala. Mar. 12, 2020).

Having conducted a de novo review of the entire record, the Court **ADOPTS** Judge Cornelius's recommendation (Doc. 4); **DISMISSES** Alexander's instant § 2254 petition (Doc. 1) without prejudice under § 2244(b)(3)(A); **DENIES** Alexander's motion to proceed *in forma pauperis* (Doc. 2) as moot; and **DIRECTS** the Clerk of Court to close this case.

DONE and **ORDERED** August 19, 2022.



LILES C. BURKE
UNITED STATES DISTRICT JUDGE